

**TOWN OF BREWSTER  
BOARD OF HEALTH**

**LOCAL REGULATION TO SUPPLEMENT TITLE 5  
STATE ENVIRONMENTAL CODE**

**BEDROOM DEFINITION FOR THE PURPOSE OF SIZING A SEPTIC SYSTEM**

**1. Authority.** In accordance with Massachusetts General Laws, Chapter 111, Sections 31 and 127A, the Brewster Board of Health hereby adopts the following regulation to supplement the provisions of the State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-Site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage (hereinafter, "Title 5").

**2. Purpose.** The purpose of this regulation is to provide a greater degree of protection to environmental and public health, to protect groundwater from contamination, prevent the spread of disease, and provide greater clarification of the definition of "bedroom" as that term is used by the Board in applying the provisions of Title 5 and the Brewster Board of Health Regulations pertaining to on-site sewage treatment and disposal systems. This regulation is only intended to assist the Board of Health in sizing a subsurface sewage disposal system; it is not to be applied to other Federal, State or Town Regulations.

**3.** To the extent application of this definition will not result in an interpretation less stringent than the provisions of Title 5, the term "bedroom" shall be defined as follows for the purpose of sizing a subsurface sewage disposal system (proposed and existing):

Bedroom: "Any portion of a dwelling which is designed to furnish the minimum isolation necessary for the use as a sleeping area and otherwise meets the following criteria:

- (a) floor space of no less than 70 square feet
- (b) for new construction, a ceiling height of no less than seven feet three inches;
- (c) for existing houses and mobile homes, a ceiling height of no less than seven feet zero inches
- (d) an electrical service and ventilation; and
- (e) at least one window.

Living rooms, dining rooms, kitchens, hall, bathrooms, unfinished cellars and unheated storage areas over garages are not considered bedrooms. Single family dwellings shall be presumed to have at least three bedrooms. Where the total number of rooms for single family dwellings exceeds eight, not including bathrooms, hallways, unfinished cellars and unheated storage areas, the number of bedrooms presumed shall be calculated by dividing the total number of rooms by two then rounding down to the next lowest whole number. The applicant may design a system using design flows for a smaller number of bedrooms than are presumed in this definition by granting to the Approving Authority a deed restriction limiting the number of bedrooms to the smaller number.

**4. Design Flows.** An applicant must design and install systems using design flows for the number of bedrooms determined hereunder unless the Brewster Board of Health makes the specific determination, after a public hearing, that a system using design flows for a smaller number of bedrooms will not negatively impact the

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public health , safety, welfare or the environment and unless the Board of Health approves an appurtenant deed restriction, running with the land and in favor of the Board, limiting the property to the smaller number of bedrooms.

**5. Floor Plans and Inspections.** In order to determine compliance with any provision of the foregoing regulation, a floor plan must be filed with the Brewster Board of Health for the Health Agent to make a determination as to bedroom count. If the Health Agent deems it necessary, he or she may refer the determination of the bedroom count to the Board of Health for a vote. If the Board of Health, by a majority vote of its members, deems that an inspection of an existing residence would be helpful to confirm the bedroom count, the Health Agent shall have the authority to inspect the premises and report back to the Board his or her findings.

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